IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 25126 of 1998

DATED: 13.6.2007

Between:

P. Madhu **petitioner**

And

APSRTC,
Rep by its Managing Director,
APSRTC, Near RTC Cross Roads, Hyderabad
And ors` **Respondents**

THE HON'BLE SRI JUSTICE N.V.RAMANA

WRIT PETITION NO. 25126 OF 1998

ORAL ORDER:

This writ petition is filed questioning the action of the respondent corporation in not considering the case of the petitioner for appointment and appointing his junior under displaced persons quota as illegal and arbitrary.

The petitioner claims that he worked as cleaner for three years and seven months from 1.6.1986 to 31.12.1989 on city bus No. AHJ 2199 on route no. 19 in Vijayawada. The Government of A.P. took a policy decision and nationalized the city routes and framed a policy to absorb the displaced employees. The petitioner alleges that he was interviewed in April, 1990 and ignoring his case his junior one Mr G Satyanarayana who has worked only for one year and five months was appointed. Hence, the present writ petition.

On 6.6.2007 when the matter is taken up, none appeared for petitioner nor any representation made on his behalf, hence the matter was directed to be listed for “for orders”. Today, though the matter is listed under the caption “for orders” none appeared for petitioner nor there is any representation on his behalf. Hence, there is no option for this Court except to dispose of the matter based on the material available on record.

Heard the learned counsel for respondent and perused the material available on record.

A counter affidavit is filed on behalf of respondents 1, 4 and 6 stating that the petitioner was interviewed by the Selection Committee 2.2.1990 and it was found that the petitioner has not produced evidence to substantiate his claim of having worked on the bus bearing No. AHJ 2199. It is further stated that the name of petitioner was not found in the statement furnished by the Labour Officer, Vijayawada and that the City Bus Workers union has not certified that

the petitioner has worked on bus bearing No. AHJ 2199.

The contention of the petitioner that his junior was appointed was specifically denied and it is stated that there is no provision for appointment of a cleaner, however, keeping in view the representations made by the labour unions, a decision was taken to absorb one cleaner against each bus and accordingly the candidature o f Mr G Satyanarayana was considered and he was appointed as cleaner.

It is further stated that vide circular PD No.61/98 dated 16.7.1998 ban was imposed on appointment of displaced employees with effect from 15.5.1998.

The petitioner claims absorption into the respondent corporation as a cleaner on the ground that he worked as cleaner on a bus route which was nationalized. Whereas it is the case of the respondent corporation that there is no material produced by the petitioner in support of his claim and that his name does not find place in the statement submitted by the Labour Officer, Vijayawada and that workers union has not certified that he worked on bus route which was nationalized. The selection committee considered the matter and found that the petitioner has not fulfilled the guidelines prescribed for recruitment of displaced persons.

In these circumstances, it cannot be said that the case of the petitioner was not considered or that he was discriminated. Hence, there are no merits warranting interference of this Court.

Accordingly, the writ petition is dismissed. No costs.

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N.V.RAMANA,J

DATE:13.6.2007

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